

AMENDMENTS TO THE CLAIMS

Please cancel claim 40 without prejudice or disclaimer.

Please amend claims 1 to 11, 13 to 30, 31 to 39, 41 and 43 to 53.

A detailed listing of all the claims that are, or were, in the application is presented below. Current amendments to the claims, including additions being shown by underlining and deletions being shown by strikethrough, are expressed in the listing.

1. (Currently Amended) A resilient surface covering or surface covering component comprising:

a wear layer adhered to a foamed layer, and a melt-processed layer adhered to said foamed layer on the side of said foamed layer opposite said wear layer, said melt-processed layer comprising a strength-imparting non-PVC polymer and about 55% to about 80% by weight filler exhibiting a toughness value of at least 100% greater than a toughness value exhibited by a control melt-processed PVC layer, wherein the control melt-processed PVC layer comprises a polyvinyl chloride homopolymer with a K Value of about 62 to about 71 as the only strength-imparting polymer and has the same thickness, filler type and percent filler content for a solid, unfoamed layer and the same thickness, filler type, percent filler content and foam blow ratio for a foamed layer as the melt-processed layer.

2. (Currently Amended) The resilient surface covering or surface covering component of claim 1, wherein the melt-processed layer ~~includes~~ comprises a polymeric blend.
3. (Currently Amended) The resilient surface covering or surface covering component of claim 2, wherein the melt-processed layer ~~including~~ comprises from about 10% to about 45% by weight of the polymeric blend.
4. (Currently Amended) The resilient surface covering or surface covering component of claim 2, wherein the polymeric blend ~~including~~ comprises a polyvinyl chloride polymer and at least one compatible polymer.
5. (Currently Amended) The resilient surface covering or surface covering component of claim 4, wherein the compatible polymer is molecularly soluble with ~~said~~ the polyvinyl chloride polymer.
6. (Currently Amended) The resilient surface covering or surface covering component of claim 4, wherein the compatible polymer ~~being~~ is selected from the group consisting of an acrylonitrile, a urethane, an ethylene-vinyl-acetate, a chlorinated polyethylene, a polyester, and a co-polymer thereof.

7. (Currently Amended) The resilient surface covering or surface covering component of claim 4, wherein the polymeric blend ~~including~~ comprises about 10% to about 40% by weight of the compatible polymer.
8. (Currently Amended) The resilient surface covering or surface covering component of claim 1, further comprising a substrate adhered to the melt-processed layer on the side of the melt-processed layer opposite the foamed layer.
9. (Currently Amended) The resilient surface covering or surface covering component of claim 1, wherein the melt-processed layer ~~including~~ comprises at least one polymer selected from the group consisting of an ethylene-vinyl-acetate, an ethylene-propylene-diene, a polyethylene-propylene, a urethane, a polyester, an acrylonitrile, a styrene-butadiene, and a co-polymer thereof.
10. (Currently Amended) The resilient surface covering or surface covering component of claim 2, wherein the polymeric blend ~~including~~ comprises at least one polymer selected from the group consisting of an ethylene-vinyl-acetate, an ethylene-propylene-diene, a polyethylene-propylene, a urethane, a polyester, an acrylonitrile, a styrene-butadiene, and a co-polymer thereof.
11. (Currently Amended) A resilient surface covering or surface covering comprising:

a melt-processed layer adhered to a substrate, said melt-processed layer comprising a strength-imparting non-PVC polymer and about 55% to about 80% by weight filler exhibiting a toughness value of at least 100% greater than a toughness value exhibited by a control melt-processed PVC layer, wherein the control melt-processed PVC layer comprises a polyvinyl chloride homopolymer with a K Value of about 62 to about 71 as the only strength-imparting polymer and has the same thickness, filler type and percent filler content for a solid, unfoamed layer and the same thickness, filler type, percent filler content and foam blow ratio for a foamed layer as the melt-processed layer.

12. (Original) The resilient surface covering or surface covering component of claim 11, wherein the surface covering or surface covering component is a floor covering or floor covering component.
13. (Currently Amended) The resilient surface covering or surface covering component of claim 11, wherein the melt-processed layer ~~includes~~ comprises a polymeric blend.
14. (Currently Amended) The resilient surface covering or surface covering component of claim 13, wherein the melt-processed layer ~~including~~ comprises from about 10% to about 45% by weight of the polymeric blend.

15. (Currently Amended) The resilient surface covering or surface covering component of claim 13, wherein the polymeric blend ~~including~~ comprises a polyvinyl chloride polymer and at least one compatible polymer.
16. (Currently Amended) The resilient surface covering or surface covering component of claim 15, wherein the compatible polymer ~~being~~ is selected from the group consisting of an acrylonitrile, a urethane, an ethylene-vinyl-acetate, a chlorinated polyethylene, a polyester, and a co-polymer thereof.
17. (Currently Amended) The resilient surface covering or surface covering component of claim 15, wherein the polymeric blend ~~including~~ comprises about 10% to about 40% by weight of the compatible polymer.
18. (Currently Amended) The resilient surface covering or surface covering component of claim 11, wherein the substrate ~~being~~ is selected from the group consisting of solid filled polymeric layer, solid unfilled polymeric layer, solid filled polymeric composite, solid unfilled polymeric composite, solid layer composite including a fibrous web saturated with polymeric binder, porous fibrous layers, and non-woven fabrics.
19. (Currently Amended) The resilient surface covering or surface covering component of claim 11, further comprising at least one additional layer adhered to the melt-processed layer on the side of the melt-processed layer opposite the

substrate, said additional layer being selected from the group consisting of a foamed layer, a wear layer, a pattern layer and a top coat layer.

20. (Currently Amended) The resilient surface covering or surface covering component of claim 11, wherein the melt-processed layer ~~including~~ comprises at least one polymer selected from the group consisting of an ethylene-vinyl-acetate, an ethylene-propylene-diene, a polyethylene-propylene, a urethane, a polyester, an acrylonitrile, a styrene-butadiene, and a co-polymer thereof.
21. (Currently Amended) The resilient surface covering or surface covering component of claim 13, wherein the polymeric blend ~~including~~ comprises at least one polymer selected from the group consisting of an ethylene-vinyl-acetate, an ethylene-propylene-diene, a polyethylene-propylene, a urethane, a polyester, an acrylonitrile, a styrene-butadiene, and a co-polymer thereof.
22. (Currently Amended) A resilient surface covering or surface covering component comprising:
a melt-processed layer comprising a strength-imparting non-PVC polymer and about 55% to about 80% by weight filler attached to a layer selected from the group consisting of a wear layer, a foamed layer, a pattern layer, a substrate and a top coat layer, said melt-processed layer exhibiting a toughness value of at least 100% greater than a toughness value exhibited by a control melt-processed PVC layer, wherein the control melt-processed PVC layer comprises a polyvinyl chloride homopolymer with a K Value of about 62 to about 71 as the only

strength-imparting polymer and has the same thickness, filler type and percent filler content for a solid, unfoamed layer and the same thickness, filler type, percent filler content and foam blow ratio for a foamed layer as the melt-processed layer.

23. (Currently Amended) The resilient surface covering or surface covering component of claim 22, wherein the melt-processed layer ~~includes~~ comprises a polymeric blend.
24. (Currently Amended) The resilient surface covering or surface covering component of claim 23, wherein the melt-processed layer ~~including~~ comprises from about 10% to about 45% by weight of the polymeric blend.
25. (Currently Amended) The resilient surface covering or surface covering component of claim 23, wherein the polymeric blend ~~including~~ comprises a polyvinyl chloride polymer and at least one compatible polymer.
26. (Currently Amended) The resilient surface covering or surface covering component of claim 25, wherein the compatible polymer ~~being~~ is selected from the group consisting of an acrylonitrile, a urethane, an ethylene-vinyl-acetate, a chlorinated polyethylene, a polyester, and a co-polymer thereof.

27. (Currently Amended) The resilient surface covering or surface covering component of claim 25, the polymeric blend ~~including~~ comprises about 10% to about 40% by weight of the compatible polymer.
28. (Currently Amended) The resilient surface covering or surface covering component of claim 22, wherein the melt-processed layer ~~including~~ comprises at least one polymer selected from the group consisting of an ethylene-vinyl-acetate, an ethylene-propylene-diene, a polyethylene-propylene, a urethane, a polyester, an acrylonitrile, a styrene-butadiene, and a co-polymer thereof.
29. (Currently Amended) The resilient surface covering or surface covering component of claim 23, wherein the polymeric blend ~~including~~ comprises at least one polymer selected from the group consisting of an ethylene-vinyl-acetate, an ethylene-propylene-diene, a polyethylene-propylene, a urethane, a polyester, an acrylonitrile, a styrene-butadiene, and a co-polymer thereof.
30. (Currently Amended) A surface covering comprising:
a wear layer adhered to a foamed layer, and a melt-processed layer on the side of said foamed layer opposite said wear layer, said melt-processed layer comprising a strength-imparting non-PVC polymer and about 55% to about 80% by weight filler, the surface covering exhibiting an impact resistance value at least 30% greater than an impact resistance value exhibited by a control surface covering, wherein the control surface covering has the same layers as the surface covering except that the melt-processed layer comprises ~~including~~ a control melt-processed

PVC layer, wherein the control melt-processed PVC layer comprises a polyvinyl chloride homopolymer with a K Value of about 62 to about 71 as the only strength-imparting polymer and has the same thickness, filler type and percent filler content for a solid, unfoamed layer and the same thickness, filler type, percent filler content and foam blow ratio for a foamed layer as the melt-processed layer.

31. (Original) The surface covering of claim 30, wherein the surface covering is a floor covering.
32. (Currently Amended) The surface covering of claim 30, wherein the melt-processed layer ~~includes~~ comprises a polymeric blend.
33. (Currently Amended) The surface covering of claim 32, wherein the melt-processed layer ~~including~~ comprises from about 10% to about 45% by weight of the polymeric blend.
34. (Currently Amended) The surface covering of claim 32, wherein the polymeric blend ~~including~~ comprises polyvinyl chloride and at least one compatible polymer.

35. (Currently Amended) The surface covering of claim 34, wherein the compatible polymer ~~being~~ is selected from the group consisting of an acrylonitrile, a urethane, an ethylene-vinyl-acetate, a chlorinated polyethylene, a polyester, and a co-polymer thereof.
36. (Currently Amended) The surface covering of claim 34, wherein the polymeric blend ~~including~~ comprises about 10% to about 40% by weight of the compatible polymer.
37. (Currently Amended) The surface covering of claim 30, wherein the melt-processed layer ~~including~~ comprises at least one polymer selected from the group consisting of an ethylene-vinyl-acetate, an ethylene-propylene-diene, a polyethylene-propylene, a urethane, a polyester, a nitrile, a styrene-butadiene, and a co-polymer thereof.
38. (Currently Amended) The surface covering of claim 32, wherein the polymeric blend ~~including~~ comprises at least one polymer selected from the group consisting of an ethylene-vinyl-acetate, an ethylene-propylene-diene, a polyethylene-propylene, a urethane, a polyester, an acrylonitrile, a styrene-butadiene, and a co-polymer thereof.

39. (Currently Amended) The surface covering of claim 30, wherein the surface covering further ~~comprising~~ comprises a wear layer adhered to the melt-processed and a top coat layer adhered to the wear layer on the side of the wear layer opposite the melt-processed layer.

Claim 40 (Cancelled)

41. (Currently Amended) The surface covering component of claim 30, wherein the surface covering further comprises a substrate adhered to the melt-processed layer opposite the foam layer.
42. (Original) The surface covering of claim 41, wherein the substrate comprises a beater-saturated felt.
43. (Original) A surface covering or surface covering component comprising:
a melt-processed layer including a blend of polyvinyl chloride resin and nitrile rubber.
44. (Currently Amended) The surface covering or surface covering component of claim 43, wherein the melt-processed layer ~~including~~ comprises from about 10% to about 45% by weight of the blend.

45. (Currently Amended) The surface covering or surface covering component of claim 43, wherein the blend ~~including~~ comprises from about 10% to about 40% by weight of the nitrile rubber.
46. (Currently Amended) The surface covering or surface covering component of claim 43, wherein the melt-processed layer ~~exhibiting~~ exhibits a toughness value at least 100% greater than a toughness value exhibited by a control melt-processed PVC layer, wherein the control melt-processed PVC layer comprises a polyvinyl chloride homopolymer with a K Value of about 62 to about 71 as the only strength-imparting polymer and has the same thickness, filler type and percent filler content for a solid, unfoamed layer and the same thickness, filler type, percent filler content and foam blow ratio for a foamed layer as the melt-processed layer.
47. (Currently Amended) A surface covering or surface covering component comprising:

~~a multi-layered component including~~ a wear layer, ~~adhered to~~ a foam layer, and adhered to a melt-processed layer including a blend of polyvinyl chloride and nitrile rubber, the foam layer being interposed between the wear layer and the melt-processed layer.

48. (Currently Amended) The surface covering or surface covering component of claim 47, wherein the melt-processed layer ~~including~~ comprises from about 10% to about 45% by weight of the blend.
49. (Currently Amended) The surface covering or surface covering component of claim 47, wherein the blend ~~including~~ comprises from about 10% to about 40% by weight of the nitrile rubber.
50. (Currently Amended) The surface covering or surface covering component of claim 47, wherein the melt-processed layer ~~exhibiting~~ exhibits a toughness value at least 100% greater than a toughness value exhibited by a control melt-processed PVC layer, wherein the control melt-processed PVC layer comprises a polyvinyl chloride homopolymer with a K Value of about 62 to about 71 as the only strength-imparting polymer and has the same thickness, filler type and percent filler content for a solid, unfoamed layer and the same thickness, filler type, percent filler content and foam blow ratio for a foamed layer as the melt-processed layer.
51. (Currently Amended) The surface covering of claim 47, wherein the multi-layered component ~~exhibiting~~ exhibits an impact resistance value at least 30% greater than an impact resistance value exhibited by a control sheet including a control melt-processed PVC layer, wherein the control melt-processed PVC layer

comprises a polyvinyl chloride homopolymer with a K Value of about 62 to about 71 as the only strength-imparting polymer and has the same thickness, filler type and percent filler content for a solid, unfoamed layer and the same thickness, filler type, percent filler content and foam blow ratio for a foamed layer as the melt-processed layer.

52. (Currently Amended) A surface covering comprising:
a melt-processed layer comprising a strength-imparting non-PVC polymer and about 55% to about 80% by weight filler exhibiting a toughness value of at least 100% greater than a toughness value exhibited by a control melt-processed PVC layer, wherein the control melt-processed PVC layer comprises a polyvinyl chloride homopolymer with a K Value of about 62 to about 71 as the only strength-imparting polymer and has the same thickness, filler type and percent filler content for a solid, unfoamed layer and the same thickness, filler type, percent filler content and foam blow ratio for a foamed layer as the melt-processed layer, the surface covering exhibiting an impact resistance value at least 30% greater than an impact resistance value exhibited by a control surface covering, wherein the control surface covering has the same layers as the surface covering except that the melt-processed layer comprises the control melt-processed PVC layer.
53. (Currently Amended) The surface covering of claim 52, wherein the melt-processed ~~including~~ comprises a blend of polyvinyl chloride and nitrile rubber.

54. (Original) The surface covering of claim 52, wherein the surface covering is a floor covering.